

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEAN O'TOOLE, et al.,
Plaintiffs,

v.

CITY OF ANTIOCH, et al.,
Defendants.

Case No. [11-cv-01502-PJH](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. No. 78

The Court is in receipt of the parties' joint discovery letter, filed October 6, 2014, in which the parties dispute whether the scope of discovery is limited to only any acts involving Plaintiffs and the named Defendants. Dkt. No. 78. Having reviewed the parties' positions, the Court **ORDERS** as follows:

- 1) Plaintiffs have not shown that third party discovery is necessary without first exhausting discovery regarding the named Plaintiffs. Accordingly, discovery shall be limited to the named Plaintiffs in this case. If Plaintiffs maintain that discovery regarding nonparties is necessary after completion of this discovery, the parties shall meet and confer and thereafter file a letter in compliance with the undersigned's Discovery Standing Order if they are unable to reach an agreement;
- 2) Plaintiffs' requests are overbroad. Plaintiffs must attempt to narrow their requests in response to Defendants' objections. If Plaintiffs object to Defendants' responses, they must state the specific requests and why the responses are objectionable. The parties shall then meet and confer in compliance with the Standing Order to determine if they can reach an agreement; and
- 3) For any claim of privilege, Defendants shall provide a privilege log in compliance

1 with Federal Rule of Civil Procedure 26(b)(5). The privilege log must be
2 sufficiently detailed and informative to justify the privilege. With respect to each
3 communication for which a claim of privilege or work product is made, Defendants
4 must identify: (a) all persons making or receiving the privileged or protected
5 communication; (b) the steps taken to ensure the confidentiality of the
6 communication, including affirmation that no unauthorized persons have received
7 the communication; (c) the date of the communication; and (d) the subject matter of
8 the communication.

9 **IT IS SO ORDERED.**

10
11 Dated: October 15, 2014

12 
13 _____
14 MARIA-ELENA JAMES
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26
27
28